IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 8380 OF 2005

Sachin @ Rahul Dhondiram Patil. ...Applicant
V/s.
The State of Maharashtra. ...Respondent

Mr.Amit Sate for Applicant.
Ms.Rajeshree M. Gadhavi, APP for the State.

CORAM : V.M. KANADE, J.

DATED : FEBRUARY 1, 2006

P.C. :-

. Heard learned Counsel for the applicant and learned APP for the State.

. The applicant is seeking bail on medical grounds. It is alleged that initially the applicant was discharged and admitted in a private hospital and was operated as per medical advise given by the doctor. After he recovered from the said ailment, as per the directions of the Court, he had surrendered and is presently in jail. Thereafter, the second application has been filed in which it is alleged that he is again suffering from severe ailment and needs to be treated in a private hospital.

2. I had directed the APP to obtain the report of the Civil Surgeon after examining the applicant. The Civil Surgeon has examined and gave report in which he has stated that the patient can be discharged and he will be given medicines at the OPD. The Civil surgeon has prescribed the medicines for colitis. In this report, he has stated that the applicant is suffering from colitis.

3. Learned Counsel for the applicant submitted that this is a serious ailment and if proper care is not taken, it may endanger his life.

4. It is not possible to accept the said submission. The opinion which is given by the Civil Surgeon indicates that it is not necessary to keep the applicant in a hospital and has prescribed certain medicines. Hence, the application for temporary bail is rejected. Needless to say that in the event in future, the applicant suffers from any major ailment, he should be taken to the Civil Hospital. Further the treatment

which is prescribed by the Civil Surgeon may be continued and for a period of four weeks, the applicant be given proper good and diet as prescribed by the Civil Surgeon.

. With these directions, the application is disposed of.

(V.M. KANANDE, J.)